

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17431 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- Cyber P.S. District- Lakhisarai

Chandan Kumar @ Chandan Kumar Ray @ Chandan Kumar Rai S/o Arbind
Mahto @ Arbind Prasad Ray R/o Vill - Jakarpura, P.S. - Surajgarha, Dist. -
Lakhisarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratyush Singh, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Lakhisarai Cyber P.S. Case No. 11 of 2023 instituted for the
offences under Section Sections 419, 420, 120(B) of the Indian
Penal Code and Section 66(D) of the Information Technology
Act.

3. As per allegation made in the F.I.R., in the written
examination of Constable Recruitment Examination conducted
by the Central Selection Board (Constable Recruitment) Bihar,
Patna, the accused persons including the petitioner was active at
different examination centers at Lakhisarai to provide answers
of questions to the candidates during examination after taking



money and admit card from lots of examinees by an organized gang of Mednichowki and Surajgarha.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case merely on the ground of suspicion. He further submits that the petitioner has no concern with the alleged occurrence. The petitioner is not named in the F.I.R. The petitioner was not present at the place of occurrence and has been arrested in this case after two days of the lodging of the F.I.R. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 04.10.2023.

5. Learned counsel for the petitioner again submits that the co-accused Chandan Kumar has been granted bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No.



15599 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhisarai Cyber P.S. Case No. 11 of 2023.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

